

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

United States Court of Appeals
Fifth Circuit

FILED

October 3, 2007

No. 07-50004
Conference Calendar

Charles R. Fulbruge III
Clerk

UNITED STATES OF AMERICA

Plaintiff-Appellee

v.

ROBERT RAY BARNES, JR

Defendant-Appellant

Appeal from the United States District Court
for the Western District of Texas
USDC No. 1:04-CR-47-ALL

Before JOLLY, DAVIS, and WIENER, Circuit Judges.

PER CURIAM:*

Appealing the Judgment in a Criminal Case, Robert Ray Barnes, Jr., presents arguments that he concedes are foreclosed by *United States v. Rawls*, 85 F.3d 240, 242-44 (5th Cir. 1996), which rejected a Commerce Clause challenge to the felon-in-possession statute, 18 U.S.C. § 922(g). See *United States v. Daugherty*, 264 F.3d 513, 518 (5th Cir. 2001). The Government's motion for

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

summary affirmance is GRANTED, and the judgment of the district court is AFFIRMED.